

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARIO ALBERTO RODRIGUEZ, JR.,

Plaintiff,

No. C 12-04033 JSW

v.

SANTA CLARA COUNTY MAIN JAIL,

Defendant.

**SECOND ORDER TO SHOW  
CAUSE RE FAILURE TO  
PROSECUTE**

Plaintiff, appearing *pro se*, did not appear at the initial case management conference held on Friday, November 2, 2012. On November 15, 2012, the Court received a response to its order to show cause regarding dismissal for failure to prosecute indicating that Plaintiff was unable to afford the trip to Court from his home in Fresno, California. In the future, Plaintiff may appear by telephone at Court appearances by submitting such a request in writing with his telephone number.

Now the Court has received notice from Defendant that Plaintiff has failed to respond to discovery in this matter. Although Plaintiff proceeds *pro se*, he is obligated to prosecute his case and respond to outstanding discovery requests.

Accordingly, Plaintiff is again **HEREBY ORDERED TO SHOW CAUSE** in writing as to why this case should not be dismissed for failure to prosecute. Plaintiff's written response to this Order to Show Cause shall be due by **January 11, 2013** or this case shall be **dismissed** for failure to prosecute.

1 Plaintiff may satisfy the requirements of this Order by submitting proof to the Court that  
2 he has served responses to the outstanding discovery to Defendant or he may request a  
3 reasonable continuation of the discovery deadline supported by good cause.  
4

5 **IT IS SO ORDERED.**

6 Dated: December 10, 2012

  
7 JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

MARIO ALBERTO RODRIGUEZ JR.,  
Plaintiff,

Case Number: CV12-04033 JSW

**CERTIFICATE OF SERVICE**

v.

SANTA CLARA COUNTY MAIN JAIL et  
al,


Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S.  
District Court, Northern District of California.

That on December 10, 2012, I SERVED a true and correct copy(ies) of the attached, by  
placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed,  
by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office  
delivery receptacle located in the Clerk's office.

Mario Alberto Rodriguez  
P.O. Box 12945  
Fresno, CA 93779

Dated: December 10, 2012

  
Richard W. Wieking, Clerk  
By: Jennifer Ottolini, Deputy Clerk